

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:07CV196-MU-02

JULIAN PARAMORE,                     )  
    Plaintiff,                         )  
  )  
        v.                             )  
  )  
M. DILLON, Aramark Food             )  
    Services Employee at             )  
    the Mecklenburg County         )  
    Jail;                             )  
OFFICER Di PACE, Officer            )  
    at the Mecklenburg             )  
    County Jail (Central);         )  
and                                    )  
MAJOR PEGAN, Facility                )  
    Commander at the Meck-         )  
    lenburg County Jail,             )  
    Defendants.                        )  
\_\_\_\_\_)

ORDER

THIS MATTER comes before the Court on an initial review of the plaintiff's civil rights Complaint under 42 U.S.C. §1983, filed May 10, 2007.

According to his Complaint, the plaintiff is a "vegan vegetarian" whose constitutional rights to be served a diet which complies both with his "religious practices" and the orders of his doctor have been violated. That is, the plaintiff essentially alleges that defendant Dillon violated his constitutional rights when he, as the food services provider for the Mecklenburg County Jail, failed to provide the plaintiff with a diet free of

eggs, meat and milk products, and failed to provide more than peanut butter and beans as substitutes for the excluded items.

The plaintiff further alleges that defendant Di Pace violated his constitutional rights on February 16 and March 17, 2007, when Di Pace refused to "contact [the] designated official" concerning plaintiff's objections to his meals. Similarly, the plaintiff complains that defendant Pegan violated his rights when he failed to respond to the plaintiff's April 1, 2007 grievance about his meal service.

Although it is far from clear whether the plaintiff actually will be able to prevail with, or even withstand a summary dismissal of his claims, the Court finds that the defendants should be required to respond to his allegations. Accordingly, the defendants will be directed to respond as hereafter set forth.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. The defendants shall file an Answer or other response in accordance with all of the applicable provisions of the Federal Rules of Civil Procedure.

2. The Clerk shall prepare process and deliver it to the U.S. Marshal; and

3. The U.S. Marshal shall serve process upon the defendants.

SO ORDERED.

Signed: July 30, 2007

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

